



## LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

## AGENDA – REGULAR MEETING

Date: October 21, 2009

Time: Closed Session 6:30 p.m.  
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

**Randi Johl**

**City Clerk**

**Telephone: (209) 333-6702**

**NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

**C-1 Call to Order / Roll Call**

**C-2 Announcement of Closed Session**

- a) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Julie McDonnell against City of Lodi Based on Personal Injury

**C-3 Adjourn to Closed Session**

**NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.**

**C-4 Return to Open Session / Disclosure of Action**

**A. Call to Order / Roll call**

**B. Invocation – Pastor Arlene Proctor, First Church of Christ Scientist**

**C. Pledge of Allegiance**

**D. Presentations**

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations

- a) Presentation by Tree Lodi Regarding its Activities and Accomplishments

**E. Consent Calendar (Reading; Comments by the Public; Council Action)**

E-1 Receive Register of Claims in the Amount of \$6,950,375.56 (FIN)

E-2 Approve Minutes (CLK)

- a) September 30, 2009 (Special Meeting)
- b) October 6, 2009 (Shirtsleeve Session)
- c) October 13, 2009 (Shirtsleeve Session)

E-3 Authorize City "Garage Sale" of Surplus Furniture Items to be Held on Saturday, November 7, 2009, at the Municipal Service Center (PW)

E-4 Approve Request for Proposals to Provide Professional Services for Preliminary Engineering Work on the Westside Substation (EUD)

Res. E-5 Adopt Resolution Approving Purchase Order with Synagro, of Burlingame, to Remove Approximately 500 Tons of Biosolids from White Slough Water Pollution Control Facility Storage Lagoon and Appropriating Funds (\$215,000) (PW)

- Res. E-6 Adopt Resolution Authorizing the Non-Competitive Purchase of Musco Sports Lighting Components (\$184,696), which Includes Installation to Musco Lighting, Oskaloosa, Iowa, for the Grape Bowl Sports Lighting Upgrade and Appropriate Project Funding (\$200,000) (PR)
- Res. E-7 Adopt Resolution Ratifying Purchase of Motorola Portable Radios Using Recovery Act Justice Assistance Grant Funding (\$62,196.30) (PD)
- Res. E-8 Adopt Resolution Authorizing the Non-Competitive Purchase of Server Equipment and Related Software from Infinite Technology (Oakland), Dell, and CDW-G and Appropriate Energy Efficiency and Conservation Block Grant Funds (\$205,000) (CM)
- Res. E-9 Adopt Resolution Accepting Improvements under Contract with Rosendin Electric, Inc. for Killelea Substation Rehabilitation (EUD)
- Res. E-10 Adopt Resolution Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of Lodi's Proposition 1A Receivable from the State; and Directing and Authorizing Certain Other Actions in Connection Therewith (CM)
- Res. E-11 Adopt Resolution Authorizing Expenditure of Grant Funding and Authorizing the City Manager to Enter into a Contract with Cool the Earth, Inc., to Conduct a New Energy Education Pilot Program for the Electric Deputy Department (EUD)
- E-12 Authorize Legal Transfer of Title of Ownership for Various City of Lodi Historical Documents to the San Joaquin County Historical Museum (CLK)
- Res. E-13 Adopt Resolutions Amending the Order of Business for City Council Meetings and the City Council Protocol Manual and Adopt Council Policy Regarding Invocations (CA)
- Res. E-14 Set Public Hearing for November 4, 2009, to Consider the Updated Planning Division's Hourly Rate and Setting Various Fire Inspection Fees (CD)
- E-15 Set Public Hearing for November 18, 2009, to Introduce Ordinance Amending Chapter 13.20, "Electrical Service," Section 225 and 227 Titled, "Schedule NEM – Net Energy Metering" and "Schedule CEM – Co-Energy Metering Rider" (EUD)
- E-16 Set Public Hearing for November 18, 2009, to Consider Unmet Transit Needs in Lodi (PW)

**F. Comments by the Public on Non-Agenda Items**

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

**G. Comments by the City Council Members on Non-Agenda Items**

**H. Comments by the City Manager on Non-Agenda Items**

**I. Public Hearings**

- Res. I-1 Public Hearing to Consider Resolution Modifying Transit Budget and Authorizing the City Manager to Implement Changes (PW)
- Ord. I-2 Public Hearing to Consider Introducing an Ordinance Amending the San Joaquin County (Introduce) Multi-Species Habitat Conservation and Open Space Plan and Adopt Resolution Setting the Development Fees for 2010 (CD)
- Res.

**J. Communications**

- J-1     Claims Filed Against the City of Lodi – None
- J-2     Appointments
- a)     Post for Expiring Terms on the Lodi Animal Advisory Commission, Lodi Senior Citizens Commission, San Joaquin County Mosquito & Vector Control District, San Joaquin Valley Unified Air Pollution Control District Citizens Advisory Committee, and Site Plan and Architectural Review Committee and Post for Vacancies on the Lodi Arts Commission and the Lodi Library Board of Trustees (CLK)
- J-3     Miscellaneous
- a)     Monthly Protocol Account Report (CLK)

**K. Regular Calendar**

- Pulled** K-1     Review of Potential Video Franchise Ordinance Establishing the Obligations of Cable Operators Providing Service in the City of Lodi Under a State Franchise Agreement (CM)
- Res.     K-2     Adopt Resolution Awarding Contract for Lodi Avenue Reconstruction Project, Union Pacific Railroad to Cherokee Lane (ESPL 5154 (036)), to Granite Construction Company, of Watsonville (\$2,098,885), and Appropriating Funds (\$2,518,662) (PW)
- Res.     K-3     Adopt Resolution Authorizing the City Manager to Execute an Option Agreement to Purchase Real Property Pursuant to the Terms of the Purchase and Development Agreement with Eden Development, Inc. Regarding Senior Housing Project at 2245 Tienda Drive (CD)
- Pulled** K-4     Receive Report on Draft Environmental Impact Report Environmental Assessment for I-5 Widening from Stockton to Southerly Limits of the White Slough Water Pollution Control Facility (CD)
- K-5     Approve Legal Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$1,653.43) (CA)

**L. Ordinances**

- Ord.     L-1     Adopt Ordinance No. 1824 Entitled, "An Ordinance of the Lodi City Council Amending Lodi (Adopt) Municipal Code Title 16 – Subdivisions – By Adding New Sections 16.12.040 and 16.16.030, "Monuments"

**M. Adjournment**

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

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Randi Johl  
City Clerk